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February 7, 2020

Via ECF

The Honorable Steven Tiscione
United States Magistrate Judge for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Nolan v. City of New York et al., Case No. 19-cv-00187-ILG-ST

Dear Judge Tiscione:

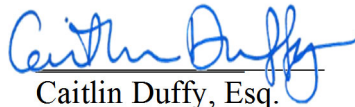
This office represents Plaintiff, William R. Nolan, in the above-referenced action brought against Defendants, the City of New York and various individuals, for violations of Plaintiff's First, Second, and Fourth Amendment rights under the Constitution of the United States, via-a-vis the Fourteenth Amendment and 42 U.S.C. § 1983. Pursuant to the Court's Minute Order dated January 30, 2020, we write now - - with opposing counsel's consent - - to update the Court on the status of proceedings.

Since the Parties' last status report dated November 25, 2019 (ECF 26), Plaintiff's criminal prosecution stemming from his arrest on December 20, 2018, remains ongoing. In January 2020, the New York Police Department arrested Plaintiff on additional misdemeanor charges, his case has been put on an expedited track given the length of time that it has been pending, and the deadline for Plaintiff to file his pre-trial motions is March 3, 2020. Additionally, in accordance with the Court's ruling partially lifting the stay, on November 4, 2019, Plaintiff served subpoenas on Citibank and Santander. ECF 25. On November 19, 2019, we received Citibank's objections to Plaintiff's subpoena. On January 30, 2020, we received Citibank's production and are currently in the process of reviewing same. To date, Santander has yet to respond to Plaintiff's subpoena, and we will be following up with that bank to determine why that is and hope to have an explanation by the end of next week.

Plaintiff continues to oppose the stay and intends to renew his motion to lift the stay after the March 3, 2020 deadline in his criminal proceedings. He also, at the appropriate time, intends to amend his Complaint to assert additional constitutional claims flowing from his recent arrest. Defendant City of New York requests that the stay remain in effect pending resolution of Plaintiff's criminal prosecution. The Parties respectfully request that the next joint status report be due by March 9, 2020.

We thank the Court for its attention to this matter.

Respectfully submitted,


Caitlin Duffy, Esq.
For the Firm

To: All counsel of record (*via ECF*)